

## NEW YORK HERALD.

JAMES GORDON BENNETT,  
EDITOR AND PROPRIETOR.

OFFICE N. W. CORNER OF FULTON AND NASSAU STS.

Volume XXXI. No. 115

AMUSEMENTS THIS AFTERNOON AND EVENING.

BROADWAY THEATRE, Broadway, near Broome street.—SINGING.—LIVE INDIAN.

WOOD'S THEATRE, Broadway, opposite the St. Nicholas Hotel.—SINGING.—LIVE INDIAN.

IRVING HALL, Irving place.—BRAND TOM'S GRAND PIANO CONCERTS. Matinee at Three o'clock.

SAN FRANCISCO MINSTRELS, 20 Broadway, opposite Metropolitan Hotel.—SINGING.—LIVE INDIAN.

TONY PASTOR'S OPERA HOUSE, 20 Broadway, opposite Metropolitan Hotel.—SINGING.—LIVE INDIAN.

GEORGE CHRISTY'S OLD SCHOOL OF MINSTRELS, 20 Broadway, opposite Metropolitan Hotel.—SINGING.—LIVE INDIAN.

BRYANT'S MINSTRELS, 20 Broadway, opposite Metropolitan Hotel.—SINGING.—LIVE INDIAN.

HOPE CHAPEL, 720 Broadway.—ALBERT RUSSELL, PIANIST.—LIVE INDIAN.

HOOKEY'S OPERA HOUSE, Broadway.—ETHIOPIAN MINSTRELS.—SINGING.—LIVE INDIAN.

NEW YORK UNIVERSITY.—MR. DE CORDO'S LECTURE.—COURTESY AND MARRIAGE.

GERMAN ASSEMBLY ROOMS, 235 Broadway.—LIVE INDIAN.

NEW YORK MUSICAL ACADEMY, 615 Broadway.—LIVE INDIAN.

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to place the well passengers arriving at this port on board of infected vessels; also one or more ships to be used for a similar purpose.

The report of the Sanitary Committee on the best means of action in regard to the cleansing of streets by allowing the water to flow from the hydrants, the publication of a hygienic circular, the prevention against the over-crowding of tenement houses, and clearing out the cellar population, and other important sanitary matters to guard against the cholera, was presented and adopted in the Board of Health yesterday. An interesting debate on the general management of quarantine matters also took place, from which it appears that the facilities for properly providing for the care and comfort of the afflicted passengers are very meagre.

Dr. J. G. Webster last evening delivered his second lecture on cholera in the chapel of the University Building. In his address he alluded particularly to the three great preventives against the disease—i. e., a strict quarantine, efficient sanitary police and cleanliness and attention to diet, and gave minute instructions for the treatment of patients in the early stages of the malady.

The ship fever is prevailing in Williamsburg among the occupants of crowded tenement houses to a alarming extent. An examination of numerous cases yesterday disclosed the fact, and the patients were removed from their unhealthy dwellings to the Flatbush Hospital.

The Board of Health held their second meeting yesterday. A private social club asked that they may be exempt from license, as they claim that no liquors are sold over the counter, those which are kept at their club house being merely for their own use. The matter was referred to the Attorney for his legal opinion on the subject. The blank forms for license to applicants for license will be in readiness for distribution on Monday next, under the direction of the Superintendent of Police.

The German innkeepers of Brooklyn met yesterday for the purpose of forming an organization to protect themselves against the operations of the new Excise and Liquor law, when they were addressed by District Attorney Morris, who advised them to disband all organizations, and combinations for the purpose of opposing the law, and the enforcement of the new law. The District Attorney holds that the constitutionality of the law cannot be disputed, and that it is to be obeyed until repealed. An executive committee was appointed to take further action in the matter.

The leases for ten years, commencing May 1, of several piers in North and East river, were sold at public auction yesterday. Judge Monell, of the Superior Court, has granted an injunction to Mr. Russell Sturgis and the Stevens & Condit Transportation Company, restraining the Controller from disposing of piers Nos. 12 and 13 North river, on the ground that the applicants have a legal right to the use and occupation of the same. Injunctions were also issued restraining the Controller from selling piers Nos. 20 and 29 North river, and Nos. 40 and 41 East river.

The Butler gold case was again up before Judge Cardozo of the Court of Common Pleas, on the old motion for the Sheriff's fees. General Butler's counsel presented an affidavit, in which he stated that in the seizure of the gold of St. Smith at New Orleans he acted under the orders of President Lincoln. A suit against the Camden and Amboy Transportation Company was tried yesterday in Part 1 of the Supreme Court, before Judge Becker, brought by Lavandovsky Martin, for loss sustained in the alleged detention by the defendants of two casks of gin and one of beer. In consequence of a fall in the market value of these articles during the alleged period of their detention plaintiff claims loss to the amount of eight hundred dollars. Judge Becker reserved his decision.

A new trial has been ordered by the Court of Appeals in the case of Roger Lamb, convicted in the Court of General Sessions of the murder of his wife, and sentenced to be executed on the 5th of May, 1865. The new trial will probably come off at the next term of the General Sessions.

Under the provisions of the Revised Statutes the estate of Zeno Bornham, convicted of swindling and sent to the State Prison, has been placed in the hands of a trustee, who has been appointed by Judge Clarke, in the Supreme Court, Chambers.

An order of arrest has been issued by Judge Clarke against Wm. H. Mills, Otto Bursteinbinder, J. H. Prentiss and J. Devan, as shippers in this city of the package of nitro-glycerine which exploded in San Francisco on the 15th instant. Wells, Fargo & Co. sue the defendants for property destroyed at the explosion. Bail has been set down at \$100,000.

At the regular weekly meeting of the Farmers' Club of the American Institute, held yesterday, the subject of Pyrenean spruce, cutting of timber and the utility of barometers for farmers were discussed. Models of a rotary harrow and a frame for building concrete walls were exhibited.

The sixtieth anniversary of the Orphan Asylum Society of the city of New York was celebrated yesterday afternoon.

A seaman named James H. Bailey, belonging to the schooner Alice A. Bantick, pier No. 21 East river, was found dead in his bed yesterday morning. His death, it is alleged, was caused by inhaling charcoal gas. The coroner's jury censured the owner of the vessel for lighting such fires in his ship without warning the attendants.

Patrick Donnelly, who was snatched in tenement house 234 East Fourteenth street on Sunday evening, by Daniel and Miles O'Reilly, died yesterday in Bellevue Hospital.

The trial of Charles Schmidt, for the murder of Hugo Weidner, on New Year's night, will take place in the Kings County Court of Oyer and Terminer, Brooklyn, to-morrow.

The stock market was firm on the whole, but somewhat irregular yesterday. Government securities were steady. Gold closed at 125 1/2 %.

There was not much, if any, improvement in the situation of commercial affairs yesterday, except in those articles which were influenced by the European advances. Breadstuffs were firmer, while cotton and provisions were lower.

In the sugar market there was considerable firmness exhibited, but the business was rather quiet and in moderate demand. In hopes of meeting with caution at the price asked. Petroleum was dull but unchanged. Dry goods were very dull, and some brands were offered freely at lower prices. Freight to Europe without improvement.

The market for beef cattle was depressed by heavy receipts, and though the cattle are nearly all in the hands of speculators prices fell 1c. a 2c. per pound, varying from 11c. to 12c., with the bulk of the lots at 14c. a 15c. Cows were dull and nominal at \$35 a \$50. Veals were dull and nominal at \$4 a \$5. Hogs were dull, heavy and lower, varying from 9c. to 10c. The total receipts were 6,635 hives, 75 cows, 2,240 veals, 12,009 sheep and lambs and 10,183 hogs.

## MISCELLANEOUS.

The steamer John L. Stephens, on her trip from California to Mazatlan, was recently seized at Cape St. Lucas, Mexico, by order of the liberal General Corona, and searched for contraband articles. Bonds were given by the captain, and she was released.

The Attorney General, on the question referred to him by the Secretary of State as to whether the exportation of arms by way of the frontier to Mexico was in conformity with the laws, has decided that such exportation is perfectly legal.

The Secretary of the Treasury, in a letter to the chairman of the Finance Committee, on the appropriation of the national currency, says the principle on which the appropriations are made is not a correct one. He proceeds, after stating wherein the principle is wrong, to offer some amendments looking to the expediency of allowing State banks to become national banks, and the provision that should be made to meet the wants of the Southern States. The amount to be withdrawn from the State of New York by the proposed Senate amendments would be \$7,914,650.

The two Fenians who fired on the English guard at Calais were tried before Judge Corbitt yesterday and found guilty of drunkenness, fined fifty cents each and discharged. General Doyle, the British commander at Calais, had requested their detention, and the English authorities were highly indignant at their release. Governor Cony, however, sent a dispatch to the Mayor of Calais ordering their detention until Secretary Seward could be heard from in the matter. They were accordingly re-arrested.

The message of the President enclosing the proceedings of the military board appointed to inquire into the question of brevet promotions was sent to the Senate yesterday. The board recommends twenty promotions to the rank of brevet major general and sixty to the rank of brevet brigadier general.

## The Mexican Question—President Johnson's Settlement with France, and His Ultimatum to Austria.

A grateful sense of satisfaction will be imparted to all sections and classes of the American people in the Mexican correspondence which we published yesterday. After many months of letter writing between the two governments, in which every device of diplomacy is exhausted by Louis Napoleon, he gives way to our inflexible requisition of non-intervention in Mexican affairs, and gracefully retreats. We perceive, too, from the calm and deliberate manner in which this great victory of American diplomacy has been achieved, that President Johnson from the first clearly foresaw that the game was entirely in his hands, and that there was no occasion for any hurry in its solution or any excitement or apprehension.

Louis Napoleon gracefully retreats from his Mexican adventure, which, with the collapse of the late Southern confederacy, became to him a fading castle in the clouds; but what is the position in which he has placed the deluded house of Austria? It is a position at once ludicrous and humiliating. A prince of the house of Austria, under the protection of Napoleon, and with the escort of a French army of fifty thousand men, is set up in "the halls of the Montezumas" as the Emperor of Mexico. An election is held under French bayonets, from which Maximilian is proclaimed Emperor by the will of the Mexican people. He is thus recognized by France as an independent sovereign, though still the ward of Napoleon. But Napoleon, constrained to withdraw his bayonets and leave his Austrian protégé to the will of the Mexican people. Maximilian then pleads the necessity of European troops. "True," says Napoleon. "They, however, will be supplied by our brother, the Emperor Francis Joseph." It is understood, accordingly, that Austria is to fill up the deficiencies resulting from the recall of the soldiers of France, and that ten thousand Austrians, as the first instalment, are awaiting at Trieste transportation for Vera Cruz.

Now, considering the present complications between Austria and Prussia, with Napoleon as the prompter of Bismarck behind the scenes, the stupidity of the Hapsburgs in this Mexican arrangement taxes our credulity. All the facts and all the indications connected with the present situation of European affairs point to a settlement with Austria by Napoleon the Third of all the outstanding balances against her from the time of her decisive alliance against Napoleon the First. They involve the sacrifice, first, of Josephine, and next, of Maria Louisa, who was given to and accepted by Napoleon as a certain bond of peace between Austria and France. The perfidy of Austria in joining the Holy Alliance which carried the first Napoleon to St. Helena remains as an outstanding balance to be settled by Napoleon the Third, and that he meditates a settlement which will cut down Austria to a second or third rate Power is now apparent upon the surface of European politics.

In this nature of European affairs, Austria, it appears, is preparing to supply the places of the French troops to be withdrawn from Mexico, and by an arrangement, too, with Napoleon. What, then, will be the course of Francis Joseph when informed from Mr. Seward, through our Minister at Vienna, as it appears he is by this time, that the sailing of the first detachment of Austrian troops for Mexico will be the signal for the suspension of diplomatic relations between the United States and Austria, and that General Grant, to enforce the doctrine of European non-intervention in Mexico, for this dilemma Austria will doubtless apply for redress to Napoleon. But what then? Napoleon can only advise his imperial brother and catspaw to follow his example. Maximilian must then return home, the laughing stock of all Europe. There will be matter here for a misunderstanding between the imperial houses of Paris and Vienna, from which we may expect a resumption of the work of Napoleon where it was left off in the late Italian war.

With the success of Jeff Davis we should have had, no doubt, under Napoleon, a reconstruction of the map of North America; with the downfall of Davis and the Mexican offshoot of his Southern confederacy we may look for a reconstruction of the map of Europe, and that Austria, the stalking horse of Napoleon in one hemisphere, will become his victim in the other. In any event the diplomatic solution of this Mexican problem at Washington is an achievement which will place this country in its proper position as a leading and positive Power among the great nations of the earth and as the arbiter of the affairs of this continent.

INCENDIARY FIRES.—The extraordinary and destructive conflagrations which have occurred in this city for the past few weeks have created no little alarm and have set people speculating as to the probable cause. They were evidently not the work of accident, because two or three great fires do not break out on the same day or night by chance, as on the recent occasion of the two fires on Broadway and another on Fulton street. But we have obtained some clue to the origin of these conflagrations in the arrest of two supposed burglars on Warren street last Monday night, who had a quantity of phosphorus and oxalic acid on their persons, and who confessed that they intended to set fire to a store in the vicinity. It must be obvious that the object of this kind of incendiarism is plunder; and it tells very badly for the efficiency of the detective force that gangs of these fellows should be allowed to go at large and practice their infamous profession without let or hindrance. We hope that the police authorities will look to it. While we blame the paid Fire Department for the extent of the damage done when a fire occurs, it is but fair that we should demand of the police that vigilance which may protect us from incendiarism.

THE REVISION OF THE INTERNAL REVENUE.—The report of the Committee of Ways and Means, proposing certain modifications of the taxes, indicates a disposition to impose the internal revenue taxation in accordance with a reasonable plan. The state of the country now is such as to justify a large reduction of the total amount raised by this system, and there is a probability that the reduction will be made in the right places. All that long list of articles that under all tax laws realize so little that the tax scarcely pays for its collection is

to be stricken out; the assessments on the necessities of life will be lightened, while those on luxuries of extensive use will be kept up or increased, and the burden of taxation will be laid on those extensive interests by which it reaches the whole people far less perceptibly than in any other way. This system now proposed is the one that the experience of Europe has found to be the most excellent.

## The New York Collector, Administration Officeholders and the Approaching Congressional Elections.

The President has shown by his selection of a collector for this port that he intends to make his fight for the success of the policy of his administration within the lines of the republican party. It is there that he contemplates making the issue and meeting the present radical Congress before the people. Planting himself upon the platform of immediate restoration of the Union, with the admission of the known loyal representatives from the Southern States and the rejection of those with disloyal records, he is now preparing himself for the great contest in the next Congressional elections. We learn that the new Collector of this port is prepared to second his efforts in this direction, as it is clearly the duty of every administration officer throughout the country to do. This much President Johnson has the right to demand of those who are holding offices under him. It is furthermore his duty to remove all those officials who refuse to aid in this great work of restoring the country and thus assist in cementing the victories gained by our gallant soldiers after a long and fierce struggle on the battle field. We look upon the recent removals of radical internal revenue officials, and the appointment of conservative republicans in their places, as additional evidence of the determination of the President to make the issue in this form with the radical politicians. In this he has the people with him. The great mass of the republican party approve his action, notwithstanding the politicians and the radicals in the Senate may oppose it.

The radical disorganizers in Congress who have thus far been defiant and openly threatening the President, now exhibit unmistakable signs of their fears of the result of the issue which they have made before the people. This is exhibited in the movement to attach a rider to the Post Office Appropriation bill virtually prohibiting all removals from office by the President. This is simply the struggle of the drowning man who grasps at every floating straw in hopes of thereby sustaining life a few moments longer. The very fact that the radicals are proposing to resort to this extreme course is proof of their weakness before the people, and is a significant hint to the President which clearly indicates to him the weak point in their position. This fact of itself exhibits the necessity of Andrew Johnson following up the few removals that he has made by a clean sweep of the radical officeholders, from his Cabinet down to the smallest postmaster in the country. The consternation that he has caused in the ranks of his disorganizing opponents by the few removals and appointments that he has made is conclusive evidence that he has attacked their weakest point, and if he but follows up his advantage boldly the battle is his and the victory won in advance of the elections. On the other hand, this effort to attach the officeholding amendment to the Post Office bill reveals the desperate effort that the radicals are determined to make to retain the patronage of an administration which they oppose. It also shows the necessity of the friends of Mr. Johnson's administration preparing for a bold and fierce contest in the coming Congressional elections. The President will have to contend with an unscrupulous set of politicians everywhere, who will throw every obstacle in his way and endeavor to so confuse the public mind that the people will be deceived as to the real issue. It is for the accomplishment of this purpose that the Reconstruction Committee is constantly spreading before the public *ex parte* evidence on the condition of the Southern States. They propose no plan of restoration, knowing full well that they can offer none that will stand the test of a campaign with the plain and practical policy of the President. They therefore prepare chapter after chapter of trashy evidence, which amounts to nothing and proves much less.

The people are anxious for a speedy restoration of the country, but the present radical Congress are determined that there shall be no restoration. Its joint committee stands as an obstruction in the way. It is very evident that nothing can be accomplished by way of readjusting our present difficulties with the present body. This being the case—and it may be considered a fixed fact—it is the duty of the conservative republicans and the friends of the administration to organize in every Congressional district throughout the country and prepare for the contest. The issue should be made and the great battles of the country fought out on the election of members of Congress. There is no use of frittering away strength on other offices, but let there be a united effort of the conservative masses on members of Congress. This is the point where they can make themselves felt and accomplish something practical for the future peace and prosperity of the country. The officeholders of the administration can in this way make themselves felt and render efficient aid towards securing the success of Mr. Johnson's policy as well as advancing the best interests of the nation and government upon which they are feeding. While it is the duty of the friends of the administration to thus put their shoulders to the wheels, it is also necessary that the President should in every way strengthen their hands by removing all those officials who are working in the interest of the radicals. It may be said the Senate will not confirm the President's appointments. But no matter; this makes the issue all the more perfect, and will at least make those officeholders who hold on by that slender thread powerless in the campaign. We believe that Mr. Smythe stands ready to use the influence of the Custom House for the election of conservative republicans to Congress. All administration officeholders who have any respect for themselves or regard for the country will imitate his example in that respect, and those who do not should be notified that "their time has come." Let the President, then, use all the legitimate means at his command, in the dispensation of patronage, to strengthen his position and encourage his supporters within the lines of the Union war party. The Johnson republicans everywhere, under this encouragement, can go into the Congressional contest with every assurance of success. On this road lies the victory for the

people, the administration and the nation. On this line success can be made certain and complete and members of Congress chosen, commencing with Pennsylvania, in October, and from there in all of the Central States, which will secure, beyond a doubt, a majority in favor of the policy of restoration and readjustment of all our difficulties, both domestic and foreign, now proclaimed by the present administration.

## Advertisement Extraordinary.

WANTED IMMEDIATELY.—A plan for the reconstruction of the Union. The Congressional Reconstruction Committee have been in labor on the subject for many months and brought forward no fruits. Many old political midwives have been applied to without success. Some plan of reconstruction is now positively required, and a reward of one hundred thousand dollars—more than was offered for the capture of Jeff Davis—will be given for a suitable plan. Applications may be addressed to Charles Sumner, United States Senate Chamber; Ben Wade, anywhere in Radicaldom; Thad Stevens, House of Representatives; or Robert Dale Owen, of New Harmony.

THE CHOLERA CLAMOR.—There is too much fuss raised in certain papers about the cholera. It is driving business away from this city and scaring the country people out of their wits. The truth is, as these panic-makers well know, that there has not yet been a single case of cholera in New York. The only cases are those at Quarantine, which is a long distance from the city, and even about those cases we have our doubts. The disease which has broken out upon the crowded emigrant ships is much more likely to be ship fever than cholera. The doctors disagree about it, first calling it one thing and then the other, and the symptoms of the two diseases are very similar. The fact that one of the doctors at Halifax caught the complaint and died of it is evidence that it is ship fever; for doctors do not catch the cholera, as has been proven by long experience.

We know all about cholera, having lived through two epidemics here in this city. Our observation convinced us that the cholera of 1832 was a great panic and a great hoax, and that of 1849 was about the same thing. If people had kept their senses we should have had no such a carnival of death; but everybody imagined that he had the cholera if his stomach ached or his bowels were out of order, and many died before they could be convinced of their mistake. It will be the same way now if the excitement about the cholera is allowed to become a panic. People who have no regard for the cleanliness of their persons or their houses will certainly be ill, cholera or no cholera, and therefore it is right for the Board of Health to take every possible precaution to insure us against disease. But we repeat that there is no cholera in New York city, that there has not been any, and that, with ordinary care on the part of our authorities, it is not likely to come here.

THE MANAGERS' ASSOCIATION is a conspiracy against the rights of labor. It was organized to compel the employers of the theatres to work for unremunerative salaries. It is self-protecting for the grinding managers and oppressive to the employes. When labor "strikes" against capital it sometimes makes headway; but when capital, as represented by the Managers' combination, "strikes" against labor, the poor actors and musicians stand a bad chance. We put the combination in this light before the public; so the Managers' Association does not "advertise in the New York Herald."

THE ESTABLISHMENTS controlled by the Managers' Association did not "advertise in the New York Herald" because we would not submit to the imposition upon the public of plays possessing no merit; of performances which usurped the place of the legitimate drama, and put sensation pieces of equivocal morality and spectacular delusions in their stead, for the profit of the managers and the demoralization of the stage.

IMPERIAL BURGLARS IN EUROPE.—Austria and Prussia should be indicted at common law for burglary in the first degree. They are each trying the art of experienced crack-men upon Schleswig and Holstein, and are ready to pummel each other in order to bag the booty.

TEMPERANCE IN THE UNITED STATES SENATE.—It has been proposed to expel a member of the United States Senate because he gets drunk on corn whiskey. Suppose those should be expelled who get drunk on the nigger? Taking both extremes, there would be very little left of the United States Senate.

## City Intelligence.

SIXTIETH ANNIVERSARY OF THE ORPHAN ASYLUM SOCIETY.—The sixtieth anniversary of the Orphan Asylum Society of the city of New York was celebrated at Dordrecht Hall yesterday afternoon. The exercises, which were of an unusually interesting nature, commenced at two o'clock when a large assembly of ladies and gentlemen had gathered in the hall. After an opening prayer and a prayer, the children sang in excellent style an anniversary hymn, the music being supplied by the choir for the occasion by Professor Trastor. Subsequent to this feature, which was received with decided satisfaction, the reading of the annual report was read, and with the statement of the treasurer showed that the number of children in the asylum on the 1st of April, 1865, amounted to one hundred and seventy-two; this number had been during the year, and the year had been discharged, three had died, two had been sent to the House of Refuge and Juvenile Asylum, and one hundred and seventy-one remained in the asylum on the 1st inst. The financial report gave evidence that the pecuniary position of the association was good, nearly thirty thousand dollars having been expended and received during the past twelve months. After the reading of the report Rev. Dr. Montgomery delivered an eloquent address, giving in favor of the rights of the organization, singing and recitations brought the sixtieth anniversary celebration to a close.

FATAL EFFECTS OF ISOLATING CHARCOAL GAS.—Coroner Gamble was yesterday called to hold an inquest on board the schooner Alice A. Bantick, lying at pier 21 East river, on the body of James H. Bailey, whose death was the result of a large assembly of ladies and gentlemen had gathered in the hall. After an opening prayer and a prayer, the children sang in excellent style an anniversary hymn, the music being supplied by the choir for the occasion by Professor Trastor. Subsequent to this feature, which was received with decided satisfaction, the reading of the annual report was read, and with the statement of the treasurer showed that the number of children in the asylum on the 1st of April, 1865, amounted to one hundred and seventy-two; this number had been during the year, and the year had been discharged, three had died, two had been sent to the House of Refuge and Juvenile Asylum, and one hundred and seventy-one remained in the asylum on the 1st inst. The financial report gave evidence that the pecuniary position of the association was good, nearly thirty thousand dollars having been expended and received during the past twelve months. After the reading of the report Rev. Dr. Montgomery delivered an eloquent address, giving in favor of the rights of the organization, singing and recitations brought the sixtieth anniversary celebration to a close.

THE TENNESSEE HOSE STABBING AFFAIR.—DEATH OF THE VICTIM.—Patrick Donnelly, the man who was so terribly stabbed on Sunday evening, during a fight with Daniel and Miles O